

**WARRANT FOR A SPECIAL TOWN MEETING**

Monday, May 5<sup>th</sup>, 2014,

The first Monday of May, at seven o'clock (7:00) P.M. at the

Tahanto Regional High School Auditorium.  
1001 Main Street, Boylston MA

**Immediately preceding the Annual Town Meeting to transact fiscal year end 2014 town business.**

**MAY 5, 2014**

THE COMMONWEALTH OF MASSACHUSETTS

**WORCESTER: SS**

**BOYLSTON**

To either of the Constables of the Town of Boylston in the County of Worcester within The Commonwealth aforesaid:

**GREETING:**

In the name of The Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Boylston aforesaid, qualified to vote in elections and Town affairs, to meet at the following places and times for the following purposes:

**SPECIAL TOWN MEETING** In accordance with the above notice and Article III, Section 1 of the Town of Boylston By-Laws, the following articles will be considered on **Monday, May 5<sup>th</sup>, 2014, the first Monday of May, at seven o'clock (7:00) P.M. at the Tahanto Regional High School Auditorium, 1001 Main Street, Boylston MA.**

Voters of the Town of Boylston, Massachusetts, met in the auditorium of the Tahanto Regional High School according to legal notice on May 5, 2014. With 120 registered voters. Selectmen James Wood and Michael May were present. Also, present were Town Administrator, Martin McNamara, Town Counsel Stephen Madaus, and Town Clerk Sandra Bourassa. Dennis Pojani, Moderator called the meeting to order at 7:05 P.M. Mr.Pojani stated we had the required quorum present, Calling of the meeting and officer's return of service are in order as required. He set the bounds of the hall and introduced the Town officials. A moment silence was observed for Helen Duffy, who had passed away last month, she was Town Clerk for 23 years, on EMT squad for many year and other town organizations. The Pledge of Allegiance was said. A MOTION by Mr. Wood was made to waive the reading of the warrant. Seconded by Mr. Brose. Vote on the MOTION passed.

**ARTICLE 1.** To see if the Town will vote to transfer any unexpended balances of Fiscal Year 2014 appropriations, hitherto made to other accounts;

MOTION was made by Mr. Butler to transfer the following amounts:\$44,000.00 from acct- 001.913.5171.000- Unemployment Compensation to acct. 001.210.5110.00 - Police Salaries: \$8,000.00 from acct.. 001.230.5110.00 – Dispatch Salaries to acct. 001.210.5110.000- Police Salaries: \$3,500.00 from acct. 001.230.5780.000- Dispatch Expenses to acct. 001.210.5780.000- Police Expenses: \$6,500.00 –from acct - 001.420.5110.000 Highway Salaries to

acct. 001.192.5780.000- Municipal Office Building: \$5,000.00 from acct. 001.420.5110.00 Highway Salaries to acct.- 001.196.5780.000 Town House Expense: \$5,000.00 from acct. . 001.420.5110.00 Highway Salaries to acct. 001.197.5780.000- Town Garage Expense: \$1,000.00 from acct. 001.122.5112.000 Town Admin. Salary to acct. 001.141.5111.000 Assessors Clerical Wages: \$800.00 from acct. 001.122.5112.000- Town Admin. Salary to acct. 001.141.5112.000 Assessors Clerk wages- Total of \$73,800.00

Seconded by Mr. Sasso, Finance Committee. Finance Committee recommends approval. Vote was taken on the taken motion. MOTION passes unanimously.

**ARTICLE 2.** To see if the Town will vote to transfer \$92,000 from the FY 2014 Vocational Education Tuition, line item 5320 in the Town Budget, to line item 5510 for funding FY 2014 expenses for the Boylston Elementary School; or take appropriations, or act in any other way thereon.

MOTION made by Mr. Wyatt, School Committee to accepted this article as read, seconded by Mr. Wood. Finance Committee recommends approval. Mr. Butler explained the article and stated if this passes the school would reduce their 2015 budget by \$50,000.00 Vote taken on the Motion passes unanimously.

MOTION made by Mr. Wood to adjourn this special meeting with business completed, seconded by Mr. Brose. Vote was taken on the motion. MOTION passed.

Motion was made, seconded to adjourn the meeting.

Meeting adjourned at 7:15 PM.

Respectfully Submitted,

Sandra L. Bourassa, Town Clerk

THE COMMONWEALTH OF MASSACHUSETTS

**WORCESTER: SS**

**BOYLSTON**

To either of the Constables of the Town of Boylston in the County of Worcester within The Commonwealth aforesaid:

**GREETING:**

In the name of The Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Boylston aforesaid, qualified to vote in elections and Town affairs, to meet at the following places and times for the following purposes:

**1. ANNUAL TOWN MEETING – MAY 5, 2014**

on **Monday, the fifth (5<sup>th</sup>) of May AD, 2014 at seven-ten (7:10) P.M., at the Tahanto Regional High School Auditorium, 1001 Main Street, Boylston MA**, to take any action relative to the business of the Town as set forth in Articles one (1) through forty-one (41) of this Warrant; and at its adjournment, which shall be upon completion of Town Meeting action upon all articles listed on the Warrant.

**2. ELECTION AND BALLOT – MAY 12, 2014**

on **Monday, the twelfth (12<sup>th</sup>) of May AD, 2014**, to vote by ballot at the Town's annual election, at the Boylston Town Hall, at the Hillside Municipal Complex located at 221 Main Street within the Town of Boylston, **with polls opening at twelve o'clock (12:00) noon and closing at eight o'clock (8:00) P.M.** on the following:

**ARTICLE 42.** To vote by official ballot for the necessary Town Officers, namely:

One Selectman for three (3) years; One Selectman for one (1) year of an unexpired term; One Assessor for three (3) years ; One Assessor for two (2) years of an unexpired term; One Board of Health member for three (3) years; One Planning Board member for five (5) years; One Planning Board member for three (3) years of an unexpired term; One Municipal Light Board member for three (3) years; Two Library Trustees for three (3) years each; One Cemetery Commissioner for three (3) years; One Parks & Recreation member for five (5) years; One School Committee member for three (3) years; One Town Clerk for three (3) years.

Voters of the Town of Boylston, Massachusetts, met in the auditorium of the Tahanto Regional High School according to legal notice on May 5, 2014. With 155 registered voters we had the required quorum. Selectmen James Wood and Michael May were present. Also, present were Town Administrator, Martin McNamara,, Town Counsel Stephen Madaus, and Town Clerk Sandra Bourassa. Dennis Pojani, Moderator called the meeting to order at 7:25 P.M. Mr.Pojani calling of the meeting and officer's return of service are in order as required. He set the bounds of the hall. A MOTION by Mr. Wood was made to waive the reading of the warrant. Seconded by Mr. Butler. Vote was taken on the motion. MOTION passed.

Motion was made by Mr. Wood to group articles 1-14 together, Mr. Pojani explained that they are articles we approve every year, seconded by Mr. Brose. Vote was taken on motion. MOTION passed. MOTION made on articles 1-14 to be accepted as written, seconded Mr. Sasso. Board of Selectmen recommends approval, Finance Committee recommends approval and John McQuade, Light Dept. recommends approval on their article. Vote was taken on the motion. MOTION passed unanimously.

**\*ARTICLE 1.** To see if the Town will vote to authorize the Board of Selectmen to choose all necessary Town officers; or act in any other way thereon.

**Sponsor:** Board of Selectmen

**\*ARTICLE 2.** To hear and act upon the reports of Town officials and committees; or act in any other way thereon.

**Sponsor:** Board of Selectmen

**\*ARTICLE 3.** To see if the Town will vote to authorize the Board of Selectmen to employ Counsel where, in their judgment, it may be necessary; or act in any other way thereon.

**Sponsor:** Board of Selectmen

**\*ARTICLE 4.** To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of revenue of the financial fiscal year beginning July 1, 2014 and ending June 30, 2015, and to issue a note or notes therefor and to renew any note or notes as may be given for a period of less than one (1) year in accordance with Chapter 44 of the General Laws; or act in any other way thereon.

**Sponsor:** Board of Selectmen

**Finance Committee comments:** Finance Committee recommends approval.

**\*ARTICLE 5.** To see if the Town will vote to authorize the Trustees of the Public Library to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2014, and to fix the compensation therefore, consistent with the Personnel Plan; or act in any other way thereon.

**Sponsor:** Library Trustees

**\*ARTICLE 6.** To see if the Town will vote to authorize the Commissioners of the Cemetery to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2014, including the appointment of a Cemetery Superintendent, and to fix the compensation therefore, consistent with the Personnel Plan; or act in any other way thereon.

**Sponsor:** Cemetery Commission

**\*ARTICLE 7.** To see if the Town will vote to authorize the Planning Board to appoint such officers and employees as may be necessary for the fiscal year beginning July 1, 2014, and to fix the compensation therefor, consistent with the Personnel Plan; or act in any other way thereon.

**Sponsor:** Planning Board

**\*ARTICLE 8.** To see if the Town will vote to appropriate the money received from The Commonwealth of Massachusetts as a Library grant-in-aid for the purpose of purchasing books and other items at the discretion of the Library Trustees; or act in any other way thereon.

**Sponsor:** Library Trustees

**Finance Committee comments:** Finance Committee recommends approval.

**\*ARTICLE 9.** To see if the Town will vote that the income from sales of electricity to private consumers, or for electricity supplied to municipal buildings or for municipal power, and from jobbing during the current fiscal year, be appropriated for the Municipal Lighting Plant, the whole to be expensed by the manager of the Municipal Lighting Plant, under the direction and control of the Municipal Light Board, for the expense of the plant for said fiscal year, as defined in Section 57 of Chapter 164 of the General Laws; and for the purchase, sale, installation and servicing of merchandise and equipment in accordance with the provisions of Chapter 235 of the Acts of 1937; and for any out of state travel expense in accordance with the provisions of Section 5 of Chapter 40 of the General Laws, and if said sum and income shall exceed said expense for the fiscal year, such excess shall be transferred to the Construction Fund of said plant and appropriated and used for such additions thereto as may thereafter be authorized by the Municipal Light Board; and fix the compensation of the Municipal Light Board members for the fiscal year beginning July 1, 2014, as provided by Section 4A of Chapter 41 of the General Laws, as follows:

Chairman - \$800.00 and two (2) members - \$800.00 each, a total of \$2400.00, and such compensation to be paid from the operating account of the Municipal Light Plant; or act in any other way thereon.

**Sponsor:** Municipal Light Board

**Finance Committee comments:** Finance Committee recommends approval.

**\*ARTICLE 10.** To see if the Town will vote to accept any highway funds from County, State or Federal agencies, to authorize the Board of Selectmen to enter into agreements with MA DOT – Highway Division, so-called, and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow from time to time during the fiscal year beginning July 1, 2014, in anticipation of reimbursement of said highway assistance, in conformity with the provisions of Section 6A of Chapter 44 of the General Laws, for maintenance, repair, construction of Town roads and programs consistent with Chapter 90 funds, to be expended by the Highway Department; or act in any other way thereon.

**Sponsor:** Highway Superintendent

**Finance Committee comments:** Finance Committee recommends approval.

**\*ARTICLE 11.** To see if the Town will vote to authorize the Board of Cemetery Commissioners to continue its use of the revolving fund, established at the May 1995 Annual Town Meeting, under and subject to the provisions of Section 53E ½ of Chapter 44 of the General Laws, for the following purposes:

1. To be the depository for all departmental receipts of the Cemetery Commission and from those funds to make expenditures in accordance with Massachusetts General Laws Chapter 41 Sections 41, 42, 52 and 56 of Chapter 41 of the General Laws for the following:

- a. For operational purposes other than regular wages and including the cost of grave openings and related expense
- b. For payment of maintenance expenses including supplies and materials and part-time labor
- c. For payment of expenses related to the expansion of the cemetery
- d. For compensation for part time commissioners and clerk;
- e. To set the expenditure limit as not to exceed \$30,000

Or act in any other way thereon.

**Sponsor:** Cemetery Superintendent

**Finance Committee comments:** Finance Committee recommends approval.

**Board of Selectmen recommendation:** Recommends approval.

**\*ARTICLE 12.** To see if the Town will vote to authorize the Planning Board to continue its use of the revolving fund established at the May 8, 2000 Annual Town Meeting, established in accordance with Section 53E ½ of Chapter 44 of the General Laws, to be utilized for the following purposes:

1. To be the depository for engineering and advertising fees charged by the Planning Board to various developers for the plan review process
2. To authorize expenditures from said fund to pay engineering and advertising costs associated with the plan review process
3. To set the annual expenditure limit at \$20,000; and
4. To have the Planning Board be the only board authorized to expend funds from said account

Or act in any other way thereon.

**Sponsor:** Planning Board

**Finance Committee comments:** Finance Committee recommends approval.

**Board of Selectmen recommendation:** Recommends approval.

**\*ARTICLE 13.** To see if the Town will vote to authorize the Conservation Commission to continue its use of the revolving fund established at the May 14, 2001 Annual Meeting, established in accordance with Section 53E ½ of Chapter 44 of the General Laws, to be utilized for the following purposes:

1. To be the depository for engineering and advertising fees charged by the Conservation Commission to various developers for the plan review process.
2. To authorize expenditures from said fund to pay engineering and advertising costs associated with the plan review process.
3. To set the annual expenditure limit at \$10,000; and
4. To have the Conservation Commission be the only board authorized to expend funds from said account;

Or act in any other way thereon.

**Sponsor:** Conservation Commission

**Finance Committee comments:** Finance Committee recommends approval.

**Board of Selectmen recommendation:** Recommends approval.

**\*ARTICLE 14.** To see if the Town will vote to authorize the Board of Health to continue its use of the revolving fund established at the 2012 Annual Meeting, established in accordance with Section 53E½ of Chapter 44 of the General Laws, to be utilized for the following purposes:

1. To be a depository for reimbursements from the administration of flu vaccinations at Board of Health clinics
2. To authorize expenditures from said fund to pay for additional vaccine, materials and supplies associated with Public Health Clinics
3. To set the annual expenditure limit at \$3,000.00
4. To have the Board of Health be the only board authorized to expend funds from said account;

Or act in any other way thereon.

**Sponsor:** Board of Health

**Finance Committee comments:** Finance Committee recommends approval.

**Board of Selectmen Recommendation:** Recommends approval.

**ARTICLE 15.** To see if the Town will vote to fix the compensation for the following Town Officers: three (3) Selectmen, Town Clerk, Moderator, three (3) Assessors, three (3) School Committee members, three (3) Board of Health members, three (3) Cemetery Commissioners, five (5) Planning Board members, all in accordance with the recommendations of the Finance Committee, and to instruct the Selectmen or other boards to fix a given compensation for the persons hired or appointed by such boards;

**Sponsor:** Personnel Board

**Finance Committee comments:**

Selectmen, Chair	\$ 1,391	2 members each at \$ 1,159
Town Clerk	\$ <b>31,816</b> plus fees	
Town Moderator	\$ 15	
Assessors, Chair	\$ 1,500	2 members each at \$ 1,000
School Committee, Chair	\$ 100	2 members each at \$ 50
Board of Health, Chair	\$ 277	2 members each at \$ 185.50
Cemetery Commission, Chair	\$ 213	2 members each at \$ 160
Planning Board, Chair	\$ 370	4 members each at \$ 53
Planning Board, Vice-Chair	\$ 53	
Planning Board Clerk	\$ 53	

MOTION was made by Mr. Prince to accept this article as written, seconded by Mr. Wood. Finance committee recommends approval. Vote was taken on the motion. MOTION passed unanimously.

**ARTICLE 16.** To see if the Town will vote to amend the Town's Personnel Plan and By-laws by replacing Schedules A, B and C with the following; or act in any other way thereon.: (proposed changes are in **bold**)  
**Section 15:** Classification Schedule Amended May **2014** - Effective July 1, 2014

Classification	Position Status	Grade	Hourly Rates	
			Min	Max
Library Page	Hourly		<b>9.30</b>	<b>9.60</b>
Election Worker	Hourly		<b>9.30</b>	<b>9.60</b>
Town Meeting Checker	Hourly		<b>9.30</b>	<b>9.60</b>
Election Clerk	Hourly		<b>10.36</b>	<b>10.36</b>
Election Warden	Hourly		<b>10.36</b>	<b>10.36</b>
Clerical	Special Temp		<b>9.30</b>	<b>9.60</b>
Library Housekeeper	Special Part Time		<b>10.55</b>	<b>11.28</b>
Asst Laborer	Special Hourly	2		
Library Assistant/Sr. Technician	Reg. Part Time	3		
Laborer/Custodian	Reg. Full Time	3		
Emergency Medical Technician	Hourly	3		
Firefighter	Hourly	3		
Deputy Chief	Hourly	3+\$500		
Fire Captain	Hourly	3+\$300		
Fire Lieutenant	Hourly	3+\$200		
Asst Town Clerk	Special Part Time	5		
Police Service Aide	Hourly	5		
Asst. Inspector/Electrician	Hourly	5		
Assessors' Clerk	Reg. Part Time	5		
Children's Librarian	Reg. Part Time	5		
COA Coord/Community Outreach	Reg. Part Time	5		
P&R Program Coordinator	Reg. Part Time	5		
Equipment Operator/Laborer	Reg. Full Time	6		
Facilities Technician	Reg. Full Time	6		
Assistant Treasurer/Collector	Reg. Part Time	6		
Asst Library Director	Reg. Part Time	7		
Admin Asst. Board of Assessors	Reg. Part Time	7		
Admin Asst to Hwy Supt.	Reg. Part Time	7		
Admin Asst to Chief of Police	Reg. Part Time	7		
Admin Asst to Planning Board	Reg. Part Time	7		
Admin Asst to Board of Selectmen	Reg. Full Time	7		
Equipment Operator/Mechanic	Reg. Full Time	7		
Working Foreman	Reg. Full Time	8		
Admin Asst to Health & Conservation	Reg. Part Time	8		
Town Treasurer/Collector	Reg. Full Time	9		
Foreman	Reg. Full Time	9		
Building Inspector	Salaried	10		

Library Director	Salaried	11
Fire Chief/Forest Warden	Salaried	<b>contract</b>
Hwy/Cemetery Superintendent	Salaried	12+\$845
Police Chief	Salaried	<b>contract</b>
Town Administrator	Salaried	<b>contract</b>

**Schedule B: Salary Compensation Schedule**

<b>Grade</b>	<b>Min</b>	<b>Mid</b>	<b>Max</b>
1	10.73	12.62	14.54
2	11.58	13.68	15.71
3	12.55	14.80	17.05
4	13.52	15.93	18.30
5	14.63	17.21	19.76
6	15.81	18.59	21.37
7	17.09	19.97	23.06
8	18.42	21.68	24.91
9	19.93	23.39	26.87
10	21.52	25.28	29.07
11	23.28	27.27	31.38
12	25.08	29.47	33.86
13	27.09	31.81	36.58
14	29.24	34.36	39.49
15	31.61	37.13	42.65
16	34.13	40.11	46.06
17	36.84	43.32	49.76
18	39.72	45.57	53.72

**Schedule C: Salary Compensation Schedule-**

<b>Job Title</b>	<b>Annual Salary</b>
Chairman, Registrar of Voters	\$ 693
Council on Aging, Meal Coordinator	\$ 1,080
Director of Veteran's Services	\$ 208
Electrical Inspector	\$ 8,572
Assistant Electrical Inspector	\$ 590
Plumbing Inspector	\$ 9,198
Assistant Plumbing Inspector	\$ 766
Gas Inspector	\$ 2,767
Assistant Gas Inspector	\$ 237
Registrar of Voters	\$ 300
Health Agent	\$ 40,154
Dog Officer	\$ 2,259
Animal Inspector	\$ 1,298
Nurse	\$ 1,500
Vital Stat Clerk	\$ 200
Tree Warden	\$ 1,218

MOTION was made by Mr. Prince to accept this article as written, seconded by Mr. Butler. Mr. Prince stated the Personnel Board recommends approval. Finance Committee recommends approval. Vote was taken on the motion. MOTION passed unanimously.

Mr. Butler, Finance Committee explained that the follow articles would be taken from free cash which was a total of \$426,000.00. If all the article pass then the selectmen would Passover article #38 & #39.

**ARTICLE 17.** To see if the Town will vote to transfer from the Hillside Receipts Reserved Account a sum not to exceed \$175,000 to the Hillside Expenses Account (#193-5780), and a sum not to exceed \$45,000 to the Hillside Salaries Account (#193-5110) and to appropriate both sums for the maintenance, upkeep, repair, operations and improvements of town-owned buildings, property and land, to be expended by the Board of Selectmen; or act in any other way thereon.

MOTION was made by Mr. Wood to accept this article as read, seconded by Mr. Butler. Finance Committee recommend approval. Mr. Dexter asked if this amount was the same as it had been in pass years, it was. Vote was taken on the motion. MOTION passed unanimously.

**ARTICLE 18.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$15,000 for the Other Post-Employment Benefits (OPEB) Liability Trust Fund, and to the OPEB Trust Fund; or act in any other way thereon.

MOTION made by Mr. May to accept this article as read, seconded by Mr. Wood. Finance Committee recommends approval. Mr. McNamara explained what OPEB was. Vote was taken on the motion. MOTION passed unanimously.

**ARTICLE 19.** To see if the Town will vote to amend Article I, Section 4 of the General By-Laws by deleting Section 4.07, Capital Program Committee, in its entirety; or act in any other way thereon.

MOTION was made by Mr. Wood to accept this article as read, seconded by Mr. Butler. Finance Committee and Capital Program Committee recommends approval. Mr. Healey asked a question on the article and was answered. Vote taken on the motion. MOTION passes.

**ARTICLE 20.** To see if the Town will vote to amend Article I, Section 4 of the General By-Laws by revising Section 4.07 - Capital Program Committee, as follows:

1. In paragraph (d), in the first sentence delete the phrase “ten thousand dollars (\$10,000)”, and in its place insert the phrase “one hundred thousand dollars (\$100,000)” and in the second sentence delete the figure “\$10,000” and in its place insert the figure “\$100,000” and;
2. In paragraph (h), delete the phrase “ten thousand dollars (\$10,000)” and in its place insert the phrase “one hundred thousand dollars (\$100,000)”; or act in any other way thereon.

MOTION was made by Mr. Wood to passover this article, seconded by Mr. Butler. Finance Committee and Capital Program Committee recommends passing over this article. Vote was taken on the motion. MOTION passes.

**ARTICLE 21.** To see if the Town will vote to increase the hourly wage rate for workers in the Senior Tax Rebate Program to the State minimum wage, and increase the maximum amount seniors may earn annually to the sum of \$750.00; or act in any other way thereon.

MOTION was made by Mr. Wood to accept this article as read, seconded by Mr. May. Finance Committee recommends approval. Vote taken on the motion. MOTION passes unanimously.

**ARTICLE 22.** To see if the Town will vote to authorize the Board of Selectmen to make available for lease or sale, town owned property located off Mile Hill Road, commonly known as the “landfill” and/or lease of town owned land located at and known as 221 Main Street, commonly known as Hillside, or any portion thereof for the installation of solar fields; or act in any other way thereon.

MOTION was made by Mr. May to accept this article as read, seconded by Mr. Butler. Finance Committee recommends approval. After many questions and a few amendment made to the article and withdrawn Mr. Wood made a Motion to passover this article, seconded by Mr. Butler. Vote taken on the motion to passover this article. MOTION passes.

**ARTICLE 23.** To see if the Town will vote to amend the Zoning By-laws relating to Registered Marijuana Dispensaries as follows:

1. By inserting in Section 1.04, “Definitions”, a definition for Registered Marijuana Dispensaries as follows:

**61. REGISTERED MARIJUANA DISPENSARY**

A not-for-profit entity registered by the Massachusetts Department of Public Health under 105 CMR 725.100, or a successor regulation, that acquires, cultivates, possesses, transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers.

2. By inserting in Section 4.02 “Schedule of Use Regulations”, a reference to Registered Marijuana Dispensaries as follows:

Use	RR	R	GR	VB	HB	NB	RB	C	H	IP	FBD	MUI	Notes
<b>4.02.07 OTHER (UNCLASSIFIED)</b>													
Medical Marijuana Dispensaries										SP#	SP#	SP#	No Medical Marijuana Dispensary shall be located within 500 feet of a Residential Zone, dwelling unit, school, place of worship, church, park, playground, public swimming pool, youth center or similar facility where minors commonly congregate. Measurements to determine the 500-foot separation shall be taken from property lines. Where any portion of a lot is within a required separation, the entire lot shall be considered to be within the required separation.

3. By adding a new section 15, to read as follows:

**SECTION 15 - REGISTERED MARIJUANA DISPENSARIES**

**Section 15.01 Purpose**

This Section 15 is intended to provide for the placement of Registered Marijuana Dispensaries (RMDs), in accordance with the Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1, et seq., in locations suitable for lawful medical marijuana facilities, and to minimize adverse impacts of RMDs on adjacent properties by regulating the siting, design, placement, and security of RMDs.

**Section 15.02**                    *Special Permit Submission Requirements*

In addition to the submission requirements in Section 11.04.06, applications for RMD special permits must include:

1. A copy of registration as an RMD from the Massachusetts Department of Public Health (“DPH”);
2. A floor plan, which includes a description of the functional areas of the RMD, including preparation areas;
3. A description of the security measures, including employee security policies, approved by DPH;
4. A copy of the emergency procedures approved by DPH;
5. A copy of the policies and procedures for patient or personal caregiver home delivery approved by DPH;
6. A copy of the policies and procedures for the transfer, acquisition or sale of marijuana;
7. A copy of the proposed waste disposal procedures; and
8. A description of any waiver from the Department of Public Health Regulations.

Upon written request from the applicant, the Special Permit Granting Authority may waive the submission of such information, or parts thereof, as may not be necessary for the consideration of the application. The Special Permit Granting Authority’s waiver decision shall be set forth in the written Special Permit decision.

**Section 15.03**                    *Special Permit Requirements for RMDs*

In addition to the requirements in Section 11.04.06, special permits issued for RMDs are subject to the following restrictions:

1. The special permit shall expire within five (5) years of its issuance. If the permit holder wishes to renew the permit, an application to renew the permit must be submitted at least 180 days prior to the expiration of the permit.
2. The special permit shall be issued to a proposed RMD operator and shall lapse if the special permit holder ceases to operate the RMD.
3. The special permit shall be transferable to another RMD operator only with the approval of the Special Permit Granting Authority in the form of an amendment to the special permit.
4. The special permit shall lapse upon the expiration or termination of the special permit holder’s registration by DPH.

**Section 15.04**                    *Additional Requirements for RMDs*

The following requirements shall apply to any RMD:

1. Signage shall be displayed on the exterior of the RMD entrance in plain sight of visitors with the following language: “Registration Card issued by the MA Department of Public Health required.” The required text shall be a minimum of two inches in height.
2. No RMD may store marijuana, related supplies or educational materials outdoors.

3. No RMD shall have a gross floor area greater than 20,000 square feet.
4. The special permit holder shall file a copy of any Incident Report required under 105 CMR 725.110(F) with the Zoning Enforcement Officer and the Special Permit Granting Authority within 24 hours of creation by the RMD. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
5. The special permit holder shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or final action issued by DPH or the Division of Administrative Law Appeals, as applicable, regarding the RMD with the Zoning Enforcement Officer and Special Permit Granting Authority within 48 hours of receipt by the RMD.
6. The special permit holder shall provide to the Zoning Enforcement Officer and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the special permit holder.
7. The special permit holder shall notify the Zoning Enforcement Officer and Special Permit Granting Authority in writing within 48 hours of the cessation of operation of the RMD or the expiration or termination of the special permit holder’s registration with DPH.

**Section 15.05                      *Exemption from RMD Special Permit Requirements***

RMD applicants that that qualify for the agricultural exemption under G.L. c.40A §3 are not required to obtain a special permit under this subsection, but shall apply for Site Plan Approval from the Planning Board pursuant to Section 10.03.

**Section 15.06                      *Severability***

The provisions of this Section 15 are severable. If any provision, paragraph, sentence, or clause of this Section 15 or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Section 15.

Or act any other way thereon.

MOTION was made by Mr. May to accept this article as written in the warrant, seconded by Mr. Wood. Mr. Manter , Planning Board stated after a the planning Board public meeting, they recommend approval. Mr. Costelli asked if there was any place on RT 140 that with this zoning it would be allowed to have a Marijuana dispensary. He didn’t see that there was, but Mrs. Levy stated with a future lot division there would be. After a few more questions asked a vote was taken on the motion. MOTION is required to have a 2/3 vote , having a stand vote count taken MOTION passed – 69-yes, 20 -no

**ARTICLE 24.** To see if the Town will vote to amend Section 9 of the Zoning By-laws entitled “Dimensional Requirements”, by inserting the following table in Part 9.02, entitled “Schedule of Dimensional Requirements”, to be listed after the table entitled “Commercial” and before Part 9.03 of Section 9:

District	Minimum Lot Size (sq. ft)	Minimum Lot Frontage (feet)	Minimum Setback			Lot Width (feet)	Lot Depth (feet)
			Front (feet)	Side (feet)	Rear (feet)		
Building/Use							
Industrial Park	Gasoline Station						

Motor Vehicle Repair							
40,000	200	50	50	50	200	200	
Any Religious or Public Education use Private non-profit Educational use							
2 acres	250	50	50	50	250	250	
Building Trade Supply							
3 acres	300	50	50	50	300	200	
Building of a Contractor or Building Tradesman Light Manufacturing or Light Assembly facility Wholesale or Warehouse use							
3 acres	300	50	50	50	300	400	
Self-storage facility consisting of multiple separate buildings and a manager's apartment							
3 acres	300	50	50	50	300	400	
All other permitted uses							
2 acres	250	50	50	50	250	250	

or act in any other way thereon.

MOTION was made to accept this article with the amendments that were handed out to everyone, seconded by Mr. Brose. Mr. Manter stated that after a public meeting was held that the planning Board recommends approval to this article. Mr. Riccardi asked why the article had been changed and what the other permitted uses were. Vote was taken on the motion. MOTION passed unanimously.

**ARTICLE 25.** To see if the Town will vote to transfer from the Ambulance Receipts Reserved Account and appropriate a sum not to exceed \$85,000 to the Fire Department budget to supplement that portion of the operating budget associated with ambulance operations; or act in any other way thereon.

MOTION was made by Mr. Flanagan, Fire Chief to accept this article as read, seconded by Mr. Butler. Finance Committee recommends approval. Vote was taken on the motion. MOTION passes.

**ARTICLE 26.** To see if the Town will vote to transfer from the Ambulance Receipts Reserved Account and appropriate a sum not to exceed \$1695; such funds to be used for the town's 5% matching portion of the FEMA Assistance to Firefighter Grant program; or act in any other way thereon.

MOTION was made by Mr. Flanagan, Fire Chief to accept this article as read, seconded by Mr. Brose. Finance Committee recommends approval. Vote was taken on the motion. MOTION passes unanimously

**ARTICLE 27.** To see if the Town will vote to transfer from the Ambulance Receipts Reserved Account and appropriate a sum not to exceed \$15,000 from for the purchase of a LUCAS automated CPR device to be available for use by emergency medical technicians; or act in any other way thereon.

MOTION was made by Mr. Flanagan, Fire Chief to accept this article as read, seconded by Mr. Brose. Finance Committee and Capital Program Committee recommends approval. Vote was taken on the motion. MOTION passes unanimously

**ARTICLE 28.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum of \$100,000, and to transfer from the Ambulance Reserved Account a sum of \$100,000 each for the purpose of a down payment for a new combination aerial/pumper truck for the Fire Department; or act in any other way thereon.

MOTION was made by Mr. Flanagan, Fire Chief to accept this article as read, seconded by Mr. Brose. Finance Committee and Capital Program Committee recommends approval. Vote was taken on the motion. MOTION passes unanimously

**ARTICLE 29.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$36,265 for the purpose of contracting architectural and engineering services for ADA compliance, building repairs, replacement of aged infrastructure such as, but not limited to, HVAC and electrical services, and facility improvements at the Public Library at 695 Main Street; or act in any other way thereon. MOTION was made by Mr. Barker, Library Trustee to accept this article a read, seconded by Mr. Brose. Finance Committee and Capital Program Committee recommends approval. Vote was taken on the motion. MOTION passes

**ARTICLE 30.** To see if the Town will vote to amend Article VI, Section 15 of the Town By-Laws entitled “False Alarms” as follows:  
Revise Section 15.01 (b) to read as follows:

- (b) For third (3rd) through fifth (5th) false burglar alarm in any 12 month period: \$30.00 for each instance
- (c) For the sixth (6th) through ninth (9th) false burglar alarm in any 12 month period: \$50.00 for each instance
- (d) For the tenth (10th) and subsequent false burglar alarms in any 12 month period: \$100.00 for each instance;

MOTION made by Mr. Wood to accept this article as read, seconded by Mr. Brose. Chief Sahagian explained the article. Vote taken on the motion. MOTION passes.

**ARTICLE 31.** To see if the Town will vote to authorize the Board of Selectmen to transfer from available funds in the Treasury a sum not to exceed \$68,000.00 for the purpose of purchasing two (2) replacement cruisers for the Police Department; or act in any other way thereon. MOTION made by Mr. May to accept this article as read, seconded by Mr. Brose. Finance Committee and Capital Program Committee recommends approval. Chief Sahagian explained the article. Ms. Joyal made a motion to amend the article to one cruiser, there was no second on the amendment, amendment failed to move forward. Vote taken on the motion. MOTION passes.

**ARTICLE 32.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$30,000 for the purpose of replacing outdated computers at Boylston Elementary School; or act in any other way thereon. MOTION was made by Mrs. Martiska, School Committee to accept this article as read, seconded by Mr. Brose. Finance Committee and Capital Program Committee recommends approval. Vote was taken on the motion. MOTION passes.

**ARTICLE 33.** To see if the Town will vote to transfer from available funds in the treasury and appropriate a sum not to exceed \$12,000 for the purpose of upgrading the interior and exterior security system at Boylston Elementary School; or act in any other way thereon. MOTION was made by Mr. Brenner, School Committee to accept this article as read, seconded by Mr. Butler. Finance Committee and Capital Program Committee recommends approval. Vote was taken on motion. MOTION passes unanimously.

**ARTICLE 34.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate the sum of \$25,000 for the removal, trimming, and maintenance of trees; or act in any other way thereon. MOTION was made by Mr. Mero, Tree Warden to accept this article a read, seconded by Mr. Brose. Finance Committee recommends approval. Vote was taken on the motion. MOTION passes.

**ARTICLE 35.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate the sum of \$25,000 for the purchase of a catch basin cleaner; or act in any other way thereon.

MOTION was made by Mr. Mero, Highway Super.to accept this article a read, seconded by Mr. Brose. Finance Committee and Capital Program Committee recommends approval. Vote was taken on the motion. MOTION passes

**ARTICLE 36.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate the sum of \$15,000 for the purchase of a used tractor; or act in any other way thereon.

MOTION was made by Mr. Mero, Highway Super.to accept this article a read, seconded by Mr. Brose. Finance Committee and Capital Program Committee recommends approval. Vote was taken on the motion. MOTION passes

**ARTICLE 37.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$40,000 for Marketing Committee to procure an engineering study relative to the area of Route 140 and Main St.; or act in any other way thereon.

MOTION was made by Mr. May to accept this article as read, seconded by Mr. Brose. Finance Committee and Capital Program Committee recommends approval. Ms. Johnson asked if the land owners supported this, answer was yes. Vote was taken on the motion. MOTION passes.

**ARTICLE 38.** To see if the Town will vote to transfer from available funds in the Treasury an amount not to exceed \$50,000 to the DPW/Highway Garage Stabilization Fund for the purpose of constructing, remodeling or acquiring new DPW/Highway garage and office space and all incidental labor and material relating thereto; or take any action relative thereto.

MOTION was made by Mr. Wood to passover this article, seconded by Mr. Butler. Vote was taken on the motion. MOTION passes.

**ARTICLE 39.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum of money, not to exceed \$50,000, and direct the Board of Assessors to utilize the same to reduce the tax rate for the fiscal year beginning on July 1, 2014; or act in any other way thereon.

MOTION was made by Mr. Wood to passover this article, seconded by Mr. Butler. Vote was taken on the motion. MOTION passes.

**ARTICLE 40.** To see if the Town will vote to raise by taxation, and appropriate or transfer from available funds in the Treasury, such sums as may be necessary to defray and pay all Town debts and charges and appropriate the same as the Town sees fit for the fiscal year beginning on July 1, 2014, and to fix the compensation and salaries of all Town Officers, as may be shown in whole or in part by the Town Budget, so-called, as shown in the Fiscal Year 2015 Report of the Finance Committee; or act in any other way thereon.

MOTION was made by Mr. Butler to accept with the amendment made in the Education section of the budget 5510 Elementary Education be reduced by \$50,000.00 – Total being 2,838,861 making the Grand Total - \$12,801,891, seconded by Mr. Brose. Vote was taken on the motion. MOTION passes.

With all business completed a Motion was made to adjourn the meeting and continue to the election on May 12, 2014, seconded. MOTION passed to adjourn.

Respectfully Submitted,

Sandra L. Bourassa, Town Clerk